

1 THE HONORABLE RICARDO S. MARTINEZ
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THE HONORABLE THERESA L. FRICKE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

AT SEATTLE

UTHERVERSE GAMING LLC,

Plaintiff,

v.

EPIC GAMES, INC.,

Defendant.

Case No. 2:21-cv-00799-RSM-TLF

**DECLARATION OF DAVID KOHTZ
REGARDING NOTICE OF
SCREENING**

I, David Kohtz, declare as follows:

1. I am an Associate General Counsel at Epic Games, Inc. (“Epic Games”). I make
this declaration based on my personal knowledge unless otherwise indicated.

2. Nitika Arora will join Epic Games on February 26, 2024, as counsel.

3. It is my understanding that Ms. Arora was a Judicial Clerk to the Honorable Judge
Ricardo S. Martinez for the United States District Court for the Western District of Washington
(the “Court”) in Seattle, Washington, from January 2022 until November 2023, including during
the above-referenced pending case between Epic Games and Utherverse Gaming LLC (the
“Litigation”).

4. Due to her Judicial Clerkship, Ms. Arora is being screened from participating in
the Litigation while employed at Epic Games.

DECLARATION – 1
(No. 2:21-CV-00799-RSM-TLF)

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 5. I have informed Ms. Arora about the screen, and she has agreed that she will not
2 participate in the representation of Epic Games in the Litigation, will not discuss the Litigation
3 with any lawyer or staff member of Epic Games or outside counsel involved in the Litigation,
4 and will not disclose to any such person information relating to any work that she performed at
5 the Court regarding the Litigation.

6 6. I emailed an internal memorandum to the legal department at Epic Games
7 instructing inhouse lawyers and staff members involved in the representation of Epic Games in
8 the Litigation to not request Ms. Arora to work on the Litigation and not solicit information
9 relating to any work that she performed at the Court regarding the Litigation.

10 7. Ms. Arora will not be apportioned any part of the fees from the representation of
11 Epic Games in the Litigation.

12 I declare under penalty of perjury under the laws of the United States that the foregoing is
13 true and correct.

14
15 Executed at February 15, 2024 on this day of February, 2024.

16 DocuSigned by:



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